

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROBERT WILLIAMS

PLAINTIFF

V.

NO. 4:22-CV-79-DMB-DAS

ALLSTATE INDEMNITY COMPANY

DEFENDANT

ORDER

This Court’s November 28, 2022, Opinion and Order (1) granted in part Allstate Indemnity Company’s motion to dismiss by dismissing Robert Williams’ negligent infliction of emotional distress claim;¹ (2) allowed Williams fourteen days to “seek leave to amend his complaint;” and (3) cautioned Williams that if he “fail[ed] to seek leave to amend or if it [was] ultimately determined amendment would be futile, the negligent infliction of emotional distress claim w[ould] be dismissed with prejudice.” Doc. #16 at 8 & n.6. Because Williams did not seek leave to amend his complaint within the time allowed, consistent with the Court’s November 28 ruling, Williams’ negligent infliction of emotional distress claim is **DISMISSED with prejudice**.

SO ORDERED, this 13th day of December, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE

¹ Allstate moved to dismiss only the bad faith and negligent infliction of emotional distress claims but not the breach of contract claim.